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AUTHOR	Ferrell-Smith, Finessa
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ABSTRACT

As the safety of U.S. schools has become an important public policy issue, interest in the problem of school bullying has intensified. As awareness of harassment, intimidation and hate in the school setting has grown, state legislatures have begun to address this problem. At least 16 states have passed anti-bullying laws, and similar measures were considered in 23 states in the 2001-2002 legislative sessions. This publication reviews the definition of bullying, the link between bullying and school violence, and planning a legislative response to bullying. Two appendixes present examples of legislative definitions of bullying and a summary of selected state laws on bullying. (GCP)

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SCHOOL VIOLENCE
Tackling the Schoolyard Bully: Combining Policymaking with Prevention

by
Finessa Ferrell-Smith
Research Analyst
National Conference of State Legislatures
Children & Families Program

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SCHOOL VIOLENCE

TACKLING THE SCHOOLYARD BULLY: COMBINING POLICYMAKING WITH PREVENTION

By Finessa Ferrell-Smith, Research Analyst
NCSL Children and Families Program†

As the safety of U.S. schools has become an important public policy issue, interest in the problem of school bullying has intensified. New research indicates that this type of adolescent victimization occurs frequently, particularly in middle school grades, and can result in serious consequences for both bully and victim. In 2002, a report released by the U.S. Secret Service concluded that bullying played a significant role in many school shootings and that efforts should be made to eliminate bullying behavior.

Although the media often have focused on high-profile incidents of school violence, such as school shootings, it is also beginning to pay more attention to understanding why some kids bully others, what the consequences of this sort of victimization are and what can be done to stop it. John Stossel's ABC news special on bullying; Showtime's original movie, *Bang! Bang! You're Dead*; and the decision by Erika Harold, the reigning Miss America, to focus on bullying prevention have highlighted the role bullying plays in the broader picture of school violence and the growing importance of the issue.

As awareness of harassment, intimidation and hate in the school setting has grown, state legislatures have begun to address this problem as well. At least 16 states have passed anti-bullying laws, and similar measures were considered in 23 states in the 2001-2002 legislative sessions. Currently, 14 legislatures are considering bills that address the issue of bullying.

What Is Bullying?

Before legislatures were required to define bullying in more precise terms, characterizing "bullying" had largely been a question of individual judgment—"we know what it is when we see it." Bullying includes harassment, intimidation to varying degrees, taunting and ridicule. Sometimes, bullies are motivated by hate and bias, sometimes by cultural norms, peer pressure or the desire to retaliate. Bullying may occur within the context of initiation rituals and be labeled "hazing," or it can be overtly or implicitly about gender, constituting sexual harassment. Sometimes, there is no readily identifiable reason for bullying; when kids are asked who school bullies target, their answers can be disturbing precisely because they are not extraordinary: bullies pick on kids who are "weaker," "smaller," "funny looking," or "dumb."

Although no standard or universally understood definition of bullying exists, certain elements usually are present (see sidebar on page 2). The first element is a pattern of behavior over time—repeated exposure to intentional injury or discomfort inflicted by one or more students against another. This behavior may include physical contact, verbal assault, social ostracism, obscene gestures or other aggressive acts that cause the victim to feel fearful or distraught. More serious instances of bullying can result in physical injury or emotional trauma. A second common

† Jeanne Kaufmann of the NCSL Health Program made significant contributions about girls and bullying.

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element is a perceived imbalance of power, which allows one student—or group of students—to victimize others.

Female Bullying

Although the traditional bullying model has been particularly male-centered and focused on physical aggression, more attention is being paid to bullying by girls. Boys generally bully in direct and physical ways; girls who bully often do so indirectly by teasing and spreading rumors.

Researchers in the area of female bullying suggest that there are three different types of adolescent female aggression: relational, indirect and social. Examples of relational aggression include damage or the threat of damage to a relationship, friendship or group inclusion; ignoring someone to punish or get one's way; and using negative body language or facial expressions. Indirect aggression allows the perpetrator to avoid confronting her target and makes it seem as though there has been no intent to hurt the recipient. The bully uses others to inflict pain by spreading rumors. Finally, social aggression damages the recipient's self-esteem or social status within a group by rumor spreading or social exclusion.

Types of Bullying

The National School Safety Center recently identified several types of bullying, all of which involve either *direct* action such as physical contact or *indirect* action such as verbal, emotional, sexual or passive-aggressive harassment.

- Direct and physical bullying includes punching, poking, strangling, suffocating, pinching, shoving, hitting, biting, spitting, hair pulling, finger bending, ganging up or cornering, stabbing, excessive tickling, burning, poisoning, theft and shooting.
- Verbal bullying includes such acts as name-calling; put-downs; insults or verbal threats; cruel jokes; or demands for servitude, money or property.
- Emotional bullying includes rejecting, terrorizing, defaming, humiliating, blackmailing, rating or ranking a person or his or her characteristics, manipulating friendships, playing mean or embarrassing tricks, peer pressure, isolating, hateful graffiti, hateful looks, indecent gestures, and ostracizing on the basis of social status.
- Sexual bullying can include many of the actions listed above, as well as exhibitionism, voyeurism, sexual propositioning, sexual harassment and abuse involving actual touching, physical contact or sexual assault.
- Hate-motivated bullying is based on bias and, in some cases, can legally constitute a hate crime. Behavior can include taunting about race, national origin, religion, sexual orientation, and physical or mental disabilities.

Source: Adapted from Hilda Clarice Quiroz, Program Developer, National School Safety Center, *Understanding, Preventing and Responding to School Bullying*, April 2002, p. 8.

Although relational aggression can be as psychologically or emotionally destructive as the more direct and physical bullying behavior of boys, many school harassment policies focus on physical or direct violence and do not address relational aggression. In addition, female bullying is less likely to come to the attention of school personnel, even though students report that it is common.

The Prevalence of Bullying: What Do Kids Say?

Until recently, national data on the prevalence of bullying in American schools have been largely unavailable. Instead, studies often were conducted at the state, district or even individual school level, drawing conclusions that are difficult to generalize to the broader national population. In 2002, however, the Families and Work Institute produced a report based on a nationally representative sample of 1,000 students in grades five through 12. Responses indicated that 32 percent of the sample had been bullied at least once in the month prior to the survey, and 12 percent had been bullied five times or more in the same time period. Twenty-three percent reported that they had bullied someone else at least once in the past month; 6 percent reported they had been bullied—or that they had bullied someone five times or more.[1]

These data also appear to reinforce the findings of a 1998 survey of 15,686 students in grades six through 10 that was conducted by the National Institute of Child Health and

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Human Development (NICHHD). That survey found that 30 percent of the sample had been involved in bullying behavior, either as perpetrator or victim.[2]

The Families and Work Institute also found that, although kids fear serious acts of violence, it is "emotional violence"—including gossip, teasing, social isolation and cruel put-downs—that disturbs them the most. According to the kids surveyed, 66 percent had been teased or gossiped about "in a mean way" at least once in the month prior to the survey, and 25 percent reported being the object of cruel teasing or gossip five times or more in the same period.[3] Again, these findings are consistent with the 1998 data collected by NICHHD, particularly for girls. Table 1 indicates what those students frequently encountered.

Table 1. Most Frequent Types of Bullying Behavior Encountered in 1998

Type of Behavior	Males	Females
Belittled about religion or race	8.8%	7.2%
Belittled about looks or speech	19.8%	20.5%
Hit, slapped or pushed	17.8%	11.1%
Subjects of rumors	16.7%	17.3%
Subjects of sexual comments or gestures	17.5%	20.5%

Source: The NICHHD findings were published in "Bullying Behaviors Among U.S. Youth," *Journal of the American Medical Association* 285 (April 25, 2001): 2094-2100.

The Link Between Bullying and School Violence

Perhaps the most striking research to date has linked the effect of severe and repeated bullying to serious acts of violence. In 1999, the *Safe School Initiative*, a partnership between the U.S. Secret Service and the U.S. Department of Education, examined 37 incidents of targeted school shootings and school attacks involving 41 attackers, beginning with the first case in 1974. The Secret Service collected and analyzed all available information about each incident and conducted in-depth interviews with 10 of the shooters.[4]

This research led to 10 key findings, one of which was that most of the attackers felt persecuted, bullied, threatened, attacked or injured by others prior to the incident. In several of these cases, the harassment the attackers endured was severe, long-standing, torturous and a significant factor in the attackers' decision to use violence. Witnesses in one case, for example, indicated that " ... nearly every child in the school had at some point thrown the attacker against a locker, tripped him in the hall, held his head under water in the pool or thrown things at him."[5] In fact, the Secret Service found that more than half of the attackers cited revenge as a motive and more than three-quarters of attackers were known to hold a grievance against an individual or group of individuals before the attack. Released in May 2002, the *Safe School Initiative* final report concluded: "The prevalence of bullying found in this and other recent studies should strongly support ongoing efforts to reduce bullying in American schools."[6]

Other Negative Effects of Bullying

Research has shown that long-term consequences associated are with bullying others and being bullied. Research conducted in 1993[7] indicates that children who are bullied often suffer from depression and low self-esteem well into adulthood. Moreover, the act of bullying can become a "gateway" to other negative behaviors in adolescence such as vandalism, shoplifting and drug use and to more serious crimes committed in adulthood. Sixty percent of males who were bullies in grades six through nine were convicted of at least one crime as adults, compared with 23 percent of males who did not engage in bullying others. Further, 40 percent of these former school bullies had three or more convictions by age 24, compared with 10 percent of their non-bullying peers.[8]

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The 1998 NICHHD survey found that students who were bullied reported more loneliness and more difficulty making friends than students who were not bullied. Further, those students who bullied others were more likely to have poor grades, smoke cigarettes and drink alcohol.[9]

Finally, even though female bullying may not leave physical scars, the psychological effects can be carried into adulthood. Because girls are socialized to be nurturing caretakers and to value relationships, these connections are very important to them. As a result, fear of isolation and solitude can be severely damaging and destructive to girls.[10]

What We Don't Know

Because students' reactions to bullying are influenced by a complex set of social and psychological factors, there is no formula for predicting when victims of bullying will respond with violence. Nevertheless, a great deal of research during the last two decades has identified personal characteristics and environmental conditions that, taken alone or in combination, work to protect kids from engaging in violent and dangerous behavior or that put them at risk of engaging in such behavior. At the same time, although children with multiple risk factors are substantially more likely to participate in risky, dangerous or violent behavior, some children who fit these criteria will not do so. In short, school-based victimization fits into a larger puzzle of personal and environmental circumstances of which bullying is but one piece.

The Link Between Bullying and Suicide

Although the research is beginning to paint a clearer picture of the effects of both being a bully and being victimized by them, other outcomes remain more difficult to measure. We know, for example, that kids who are bullied often suffer from depression, low self-esteem and loneliness. We also know that more than half of the attackers involved in school attacks since 1974 had a history of feeling extremely depressed or desperate and that nearly 75 percent of them threatened to kill themselves, made suicidal gestures or actually attempted suicide before they attacked the school. Although an association between being bullied and the desire or attempt to commit suicide is present in individual cases, it is also true that other bullied kids do not. The decision to commit or attempt suicide often involves a number of contributing factors. Isolating any particular factor—such as being bullied—as the primary cause often proves impossible scientifically unless compelling evidence—such as a note or post-attempt interview—warrants that conclusion. It is fair to say, however, that poor mental health is a consequence of being constantly belittled and harassed and that some children may be driven to end this victimization in extreme ways while others prove more resilient.

The Link Between Bullying and Academic Achievement

The research also is unclear about the effect(s) of bullying on academic achievement. Research has shown that kids who bully others are more likely to engage in a number of negative activities (see above), to have poorer grades and to drop out of school at a higher rate than their peers. Again, because many factors both inside and outside school may be involved, the relationship is associational rather than causal. In other words, although bullies as a group share many of the same characteristics, it is not clear that having lower

grades is caused by bullying others any more than bullying others is caused by receiving lower grades.

Research also has shown that children who are repeatedly bullied fear going to school or refuse to do so and have difficulty concentrating while in school. Although it seems unlikely that an ideal learning environment exists for students who are feeling alone, depressed, scared or desperate, the research has yet to answer why some bullied students struggle academically and others do not.

The Legislative Response to Bullying

Since 1999, at least 16 states have passed laws to address harassment, intimidation and bullying in school. The primary intent of almost all these legislative efforts is to define bullying, to establish school or district-level policy that firmly prohibits such behavior, and to communicate that policy to students and their parents. Beyond that, however, states have taken different approaches as to whether policy needs to go further and, if so, whether the legislature or another entity should be responsible for those details.

Because legislatures are beginning to pass laws prohibiting bullying behavior in school, it has become necessary to define the behavior that is prohibited. A significant challenge to crafting a clear definition of bullying is determining behavior that has crossed the line and should be punished—and to what degree—versus behavior that has not. The task of precisely defining bullying becomes even more difficult when other factors are considered, including the following:

- Differing circumstances surrounding each incident;
- Differing school expectations for student behavior;
- The intent and motivation behind the bullying behavior;
- Degrees of "victimization," which become more difficult to measure when physical injury is not present; and
- The resources available to deal with the problem.

Not surprisingly, states have taken different approaches to the task of defining bullying, where it takes place and what effects should be present to warrant punishment and/or intervention (see appendix A).

Defining Bullying Legislatively

What Is Bullying?

Generally, states have been fairly uniform in defining bullying to include written, verbal or physical acts. States have taken different approaches to the issue of intent or motivation. Colorado, Connecticut, Georgia and Oklahoma make clear the need for the bullying act to have been intended to cause "injury, distress, ridicule, humiliation or intimidation" in order for bullying to have occurred. Thus, bullying is distinguished from other actions that may cause ridicule, distress, humiliation and the like but that were not intended to do so.

New Jersey, on the other hand, has defined bullying in such a way as to focus very narrowly on targeting students with specific characteristics. Bullying is behavior based on " ... an

actual or perceived characteristic such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or a mental physical or sensory handicap or any other distinguishing characteristic." Under this definition, bias against particular students as the motivation to harm—or attempt or threaten to harm—another person is critical to invoking the legal standard.

Where Does Bullying Occur?

A second consideration when writing legislation is to be specific about the locations covered by the law. Again, states have been fairly uniform in their inclusion of school grounds and school-sponsored events. In addition, Colorado, New Jersey, Oklahoma and Oregon cover behavior on school buses, and the latter three states include bus stops as well.

What Harm Needs to Be Caused?

Perhaps the most important consideration in defining bullying is deciding on the level and type of harm the behavior must cause in order for it to constitute bullying. In this regard, state definitions of harm are on a continuum from narrow (personal harm and injury, or reasonable fear of harm) to broad (personal distress or humiliation). In addition, although bullying is understood to occur between one or more people, the harm or consequence of bullying can include injury to the school or educational process. As a result, many states have also included school disruption or creating a hostile educational environment in their definitions of prohibited bullying behavior.

- **New Jersey** specifies that the act must result in "harm" or a reasonable "fear of harm" to person or property or that the act must demean or insult a student or group of students in such a way that the act causes substantial disruption to, or interference with, the orderly operation of the school.

- **Oregon** also protects both student and property, recognizes actual harm and "fear of harm," and includes acts that "create a hostile educational environment."

- **Connecticut, Colorado** and **Oklahoma** have defined the effects more broadly so as to cover a wider range of behavior. In Connecticut, an act of bullying need only "ridicule, humiliate or intimidate" the victim; in Colorado and Oklahoma, the act need only "cause distress" in order to meet the legal criteria for bullying behavior.

Requirements for School Anti-Bullying Policies

Because the intent of legislative effort is, ultimately, to prohibit bullying behavior and communicate this prohibition effectively to students and their parents, legislatures must assume the challenge of crafting anti-bullying policy that is sufficiently comprehensive or appropriately discretionary to meet the needs of schools but that also serving legislative purpose. Although the legislative goal seems simple enough, in practice the communication of policy and the prohibition of any behavior raises several other questions.

- Should parents of bullying victims and parents of bullies be notified?

- Should the anti-bullying policy be publicized in student handbooks and codes of conduct alone, or in additional forums?

- Should teachers be trained to recognize, intervene or respond to bullying behavior in a uniform way?

- Should schools be required to initiate bullying prevention efforts?

- Should schools record all reports of bullying behavior and should that reporting be open to public record?

- Should school personnel be required to report instances of bullying?

- Should students be given immunity for reporting instances of bullying?

- Should students be punished for making false accusations of bullying?

In addition, it must be determined whether the authority for answering these questions and establishing the appropriate mechanisms to make the anti-bullying policy work at the local level is vested in the state department of education, the local schools (or districts) or the legislature itself. If local control is desired or if these mechanisms are to be developed in model policy form by another state-level entity, it may be that legislative action need only focus on a uniform, statewide policy that prohibits bullying in schools.

- Colorado requires that all schools have an anti-bullying policy, but discretion is left to individual schools or school districts regarding the specific components of the policy.

- Washington vested sole authority for policy development with the state superintendent of public instruction. School districts are required to adopt OSPI's model policy or amend an existing policy to be in compliance.

- Other states—such as Connecticut, New Jersey and West Virginia—have been more comprehensive and directive in their approach, prescribing in detail the standards that anti-bullying policies must meet with regard to reporting mechanisms, investigation protocols, notification procedures, protection of victims and the like. (For more details about the components of state anti-bullying legislation, see appendix B.)

A final and often problematic component of legislation is how far to go beyond prohibiting bullying behavior toward preventing it. Whether initiated at the individual school level—and paid for from local budgets, state grants or federal funding streams—or mandated by the state through legislation, it is likely that prevention efforts are occurring across the country. Legislation mandating prevention, however, is less common, particularly in this time of tight budgetary constraints.

Although several states mandate or encourage schools to report the bully prevention programs they choose to implement, a few states have gone beyond this to require schools to monitor prevention. In Oklahoma, for example, the Legislature expanded the duties of each school's Safe School Committee by requiring it to review successful bully prevention programs, make recommendations for action and implement a prevention plan. In Connecticut, Georgia and Illinois schools must have an effective prevention-intervention

strategy. Georgia further requires comprehensive character education at all grade levels, which must specifically address bullying behavior. (For more details, see appendix B.)

Planning a Legislative Response to Bullying

As more legislatures take up the issue of harassment, intimidation and bullying in schools, legislators have needed more research and information to help them plan for and structure state policies. Because each state is unique, it is important to consider a number of issues before taking legislative action.

- Is bullying a problem that needs to be addressed? How can you find out?
- If bullying is a problem, is it a statewide concern or does local action make more sense?
- If statewide action seems warranted, which state entities, agencies or groups are the best suited or responsible for taking action?
- Should prevention efforts be an explicit component of policymaking? If so, should specific prevention programs be endorsed or funded over others?
- Are funds available to put into prevention efforts?
- How will you know if positive change occurs? Is it necessary to develop a reporting or data-gathering mechanism or can an existing system be adapted to fit your needs?

Collecting Baseline Data

Whether bullying is a problem, and to what degree, will vary with factors unique to a particular state, school district or school. For this reason, collecting data to provide a clearer picture of the extent and nature of bullying—and whether it is a statewide problem—is a good first step.

- **Statewide Reporting Mechanisms**
  On a statewide level, data can be collected through reporting mechanisms that may be in place as part of school safety audits or other statewide school safety reporting requirements. If reporting mechanisms are not in place, or if reporting incidents of bullying is considered unduly burdensome on schools, statewide data can be collected by other methods (see below).

- **Statewide Forums**
  In Colorado, the state attorney general conducted a series of school forums across the state, asking students, teachers, administrators and parents to describe the school climate and a "day in the life of a student." Responses during the forums indicated that bullying was a problem—to varying degrees—in every school visited. The attorney general documented his findings in a report, concluding that bullying was a serious concern that should be addressed. Subsequently, legislation was introduced and passed to require Colorado schools to develop anti-bullying policies (see sidebar on page 9). In addition, a coalition of organizations formed a statewide bullying prevention initiative.

Anti-Bullying Legislation in Colorado: A Conversation with Representative Don Lee, sponsor

Where does bullying fit in the picture of school violence?
Bullying is an important piece of the school violence puzzle, but it's only one piece. I believe that another big piece is character development both in the home and the school environment. Many of the issues that need to be addressed are cultural. I think a lot of little things will make a big difference, but no one thing will solve the problem. This generation feels very disconnected from the adults around them and their communities and until we pay attention to that, many of our problems will remain.

Is bullying a problem in Colorado? Was there data available to indicate bullying was a problem?
Attorney General Salazar visited schools across Colorado, and we learned that harassment is a part of the school environment and is present regardless of area, school size, urban or rural. We also saw that schools that have addressed harassment and have policies in place are successful. I feel we need to spread that awareness of the issue and to make known the kind of success schools can have when they address the school environment and ensure it is free of harassment.

How do you respond to critics who say that bullying behavior cannot be stopped by making laws to outlaw it—that bullying is not appropriate for legislative action?
Bullying is just harassment within the school context. I don't think anyone would argue that it is inappropriate to have policies clearly prohibiting harassment. In this case, policies that specifically address student-to-student harassment, or bullying, would be proactive and would stimulate the kind of awareness we need to effectively address the issue. We need to make sure a system is in place that assures that kind of visibility and makes very clear that bullying behavior will not be tolerated.

If bullying has been around since kids began to interact with each other, why is it so important to deal with now?
Well, things have changed. Bullying behavior used to be handled by parents. I have heard so many stories, and they all have a common thread: "My dad called his dad and he took care of it." That just does not seem to be happening now; parents aren't taking on that responsibility. Parents are teaching less and teachers are parenting more. Why? I don't know. But I do know that we can't do much about what happens in the home; we can do something about what happens in schools.

What kind of support or opposition have you encountered in carrying this bill? Do you have an idea of where public opinion falls?
Support for this bill has been overwhelming, particularly from people who have seen marked improvement after addressing bullying in their schools. People who really don't think bullying is a problem in their schools have been quiet for the most part. With regard to opposition, I would characterize that as an issue of local control more than anything else. There are people who think that the "broad brush approach" is not the way to go—that local districts should be able to act in a way they think is appropriate. But I don't think harassment is a geographic issue. If it is widespread and if there are ideas that can help to solve this problem, then we need to do what we can to help that happen.

What advice do you have for your counterparts in other states who are deciding whether to carry a bullying bill similar to yours?
Don't believe that an anti-bullying policy is the end-all solution—it's just part of a bigger picture. Don't make the bill too restrictive—you want to raise awareness and communicate the success of anti-bullying programs—but don't smother schools with prescriptive measures. Leave the decision about how to enforce the policy—in terms of discipline or a prevention program—to local authority. The Colorado legislation has been confused on occasion with zero tolerance, but it shouldn't be. It isn't a punitive piece of legislation—we already passed the Safe Schools Act, which addressed discipline and sanction. It is proactive in that it requires a policy and it requires that incidents of school-based harassment be reported. It does not create an extra burden for schools, it just changes practice.

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- **Individual School Assessments**
  There is also a need to understand clearly whether bullying is a problem—and why—at the individual school level. School-based characteristics—such as the age and demographic make-up of the student body, the presence or absence of racial or ethnic tension, the design of the school building itself, the presence of gangs or drugs and the like—contribute dramatically to a school climate that either contributes to or discourages bullying behavior. According to Jane Grady, assistant director of the Center for the Study and Prevention of Violence, these school-level needs assessments are the most efficient way to determine if a bullying problem exists and how best to address it within a particular school if it does:

  " The severity or existence of bullying will vary with any given school. The best way to go is to do a needs assessment and determine what the priorities are before pouring dollars into bully prevention. If bullying behavior is not a major problem, but a concern, there are strategies for addressing that concern that might make more sense and be less costly than implementing a school-wide bullying prevention program. For example, after doing a needs assessment, a school might find that bullying is occurring in isolated, unsupervised locations in the school building or on the campus. This may be addressed by assigning staff, a school resource officer or even volunteer parents to patrol these areas. Bullying plays into the entire school climate, so an emphasis on building relationships between adults and students is another strategy that can be pursued and it can be economical as well."

  Needs assessments often are administered in the form of student surveys. Survey instruments for this purpose have been developed and are available. Some are very narrowly focused on specific behaviors such as bullying and others are quite comprehensive to address a broad spectrum of student behavior, attitudes and beliefs. The responses then are analyzed for use by a particular school or school district and can also be sent to state education agencies and policymakers so they have an overview of bullying (and/or other behavior) statewide. Whether they are administered voluntarily or as a result of legislative mandate, school needs assessments can assist policymakers who are considering anti-bullying legislation and can assist schools and districts to respond appropriately to bullying in their institutions.

Balancing State and Local Control

Ultimately, all legislative mandates rely on other entities for successful enforcement and implementation. In many states, a culture and tradition of local control can make necessary a more discretionary approach, allowing individual schools or school districts to have a great deal of authority in the development of their own policies or prevention efforts. If local control issues are not a major consideration, however, it may be more efficient to develop a model policy on bullying, intimidation and harassment and require all schools to adopt the policy. Both approaches have advantages and limitations. For example, discretion allows for just the sort of planning discussed above—policy and prevention efforts based on characteristics and circumstances unique to a particular school and school district. This individualized approach may prove more effective because it allows for more accurate and targeted intervention and policy development to address the bullying that actually is occurring. On the other hand, a centralized or uniform policy approach ensures standardization across the state, allows for development and dissemination of training

materials and teacher professional development activities by a single authority, and makes data collected through any mandated reporting mechanism easier to analyze because all schools collect the same information.

Funding What Works

As legislatures face tight budgetary constraints, it is important to spend money on programs that have been proven effective. Organizations such as the Center for the Study and Prevention of Violence at the University of Colorado (CSPV) and the Hamilton Fish Institute have compiled research about what works to prevent bullying behavior in schools.

The CSPV Blueprints program is a valuable tool for determining what research exists to show particular programs to be an effective use of resources. Programs are rank-ordered as model, promising and favorable, depending upon the extent to which a program has been evaluated, the rigor of the evaluation design, and the measured positive change that can be attributed to program implementation over time and in different schools.

Several successful skill-building, intervention or prevention programs take a broad approach to anti-social behavior that includes, but is not limited to, bullying. This broader approach to unacceptable behavior may be both efficient and appropriate, depending on what sorts of problems exist—and to what degree—in a particular state, district or school. On the other hand, narrowly focused and targeted efforts aimed specifically at bullying may be the best solution in other circumstances.

Bullying Prevention Program

To date, the CSPV has identified only one model anti-bullying program, The Bullying Prevention Program (BPP). Developed in Bergen, Norway, BPP has been proven highly effective in reducing antisocial behavior and improving school climate. BPP has been successfully replicated in the United States, England and Germany. The program takes a comprehensive approach, working with both bullies and victims to address causes and to change behaviors that could lead to future aggression. It also requires enforcing classroom rules against bullying, policing specific areas in schools for bullying behavior, and holding school-wide conferences to discuss the problem and how to prevent it. [11]

Student participants have reported substantial reductions in bullying and other antisocial behaviors, as well as marked improvement in social climate and relationships. At the original site in Norway, bullying problems were cut in half after two years. Similar results also have been demonstrated in several sites in the United States. In fact, the Washington Institute for Public Policy has determined that the Bullying Prevention Program saves Washington taxpayers $5.29 for every $1 spent.[12]

Bully Proofing Your School

A second and very popular program, Bully Proofing Your School, has not been in use long enough to be evaluated as rigorously as the BPP, but preliminary evaluations are positive and the CSPV has rated the program favorably. Bully Proofing follows many of the principles involved in the Bullying Prevention Program, but focuses on the silent majority of bystanders—roughly 85 percent of the average student body—and the social context within which bullying behavior is allowed to occur. This focus on peer culture and transforming the silent majority into a caring majority distinguish Bully Proofing from BPP.

Bully Proofing has been evaluated thus far at a single elementary school site over a four-year period. Students' sense of safety—particularly on the playground and coming and going from school—significantly increased during the study period. Likewise, the occurrence of bullying behaviors—defined as physical aggression, verbal aggression and exclusion—significantly decreased although it took longer to affect exclusion (e.g., encouraging others to leave someone out of play or social activity) than it did to affect verbal and physical behavior.[13]

Planning for Evaluation

Evaluating results can be daunting if certain questions are not considered beforehand:

- What did we want to achieve?
- What benchmarks would indicate success?
- Who will do the evaluation and at how many sites?
- What questions should be asked, of whom and how frequently during what period of time?
- How much will evaluation cost?
- How will the results of the evaluation be disseminated and on what timetable?
- What action should be taken if outcomes are not as positive as hoped or, conversely, change is greater than expected?

Conclusion

As is the case with intervention in most negative human behavior, tackling the schoolyard bully is no easy task. Made complex at the outset by difficulties in defining exactly what bullying is, eliminating this behavior calls for a number of key participants to act together to create the right combination of sound policy, awareness of the problem, appropriate sanctions, successful prevention and intervention, data collection, evaluation and a fair amount of patience with the process. As state legislatures continue to address bullying, harassment and intimidation in schools, a number of tools will likely become available. What is known about bullying will continue to expand exponentially as more research is conducted, and evaluation of programs that work show positive outcomes. Reporting mechanisms will improve. Evaluation instruments to measure the extent of bullying or the outcomes of intervention will be refined and made available for use by others. States that choose to address bullying legislatively in the years to come will benefit from the experiences—positive or negative—of the states that currently are enacting anti-bullying policy. Although bullying may be only one piece of the complicated puzzle that is school violence, its elimination moves schools one step closer to being safe and productive places to learn for everyone inside the schoolhouse gate.

Appendix A. Examples of Legislative Definitions of Bullying

Colorado and Oklahoma: "Bullying: Any written or verbal expression or physical act or gesture or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds in school vehicles at a designated school bus stop or at school activities or sanctioned events."

Connecticut: "Bullying: overt acts by a student or group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school sponsored activity, repeated against the same student over time."

Georgia: "Bullying: Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so or any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm."

New Jersey: "Harassment, intimidation or bullying: any gesture or written, verbal or physical act that is reasonably perceived as being motivated either by an actual or perceived characteristic such as race color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap or by any other distinguishing characteristic, that takes place on school property at any school sponsored function or on a school bus and that 1) a reasonable person should know will have the effect of harming a student or damaging the student's property or placing a student in reasonable fear of harm to his person or damage to his property or 2) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school."

Oregon: "Harassment, intimidation or bullying: Any act that substantially interferes with a student's educational benefits, opportunities or performance that takes place on or immediately adjacent to school grounds, at any school sponsored activity on school-provided transportation or at any official school bus stop and that has the effect of 1) physically harming a student or damaging a student's property, 2) knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property or 3) creating a hostile educational environment."

Appendix B. Summary of Selected State Laws on Bullying

California: School districts must have a comprehensive school safety plan that must include an anti-discrimination and harassment policy and procedures for reporting hate crimes specifically. In addition, the Legislature required the state Department of Education to develop model policies on the prevention of bullying and conflict resolution. These model policies must be made available to school districts which may elect to incorporate them into their school safety plans.

Colorado: Each school district board of education must establish a policy "concerning bullying prevention and education" as a component of its safe school plan, also required by Colorado law. In addition to the definition of bullying, the policy must represent a reasonable balance between the pattern and severity of bullying behavior. Each school's policy is to be included in a report submitted by all principals to the board of education annually, including a description of any bullying prevention programs the school may have chosen to implement.

Connecticut: Each local and regional board of education must develop policy to address the existence of bullying in schools. In addition to the definition of bullying, the policy must include:

- A procedure for students to anonymously report incidents of bullying;
- A procedure for parents to file written reports of suspected bullying;
- A requirement that school personnel must report any incidents of bullying;
- A requirement that school administrators must investigate any reports;
- An intervention strategy for school staff to deal with bullying;
- Notification of parents of both bully and victim, including what action has been taken in response to the incident and what the consequences for any further acts of bullying will be; and
- A requirement that each school document all verified acts of bullying and make a list available to the public.

Georgia: In 1999, Georgia passed comprehensive character education for all grade levels to foster positive character development and to include methods to prevent bullying and other violence against students. Since that time, the prevention focus has been bolstered by the creation of specific statewide policy that defines and prohibits "bullying, verbal assault of students, physical assault of students and disrespectful conduct toward other students." Another component of the policy, as directed by the legislature, is a procedure to intervene in a pattern of bullying behavior before automatic sanctions apply. This requires a meeting of the student(s) guilty of bullying behavior, the student's parents or guardian, and school officials to establish a conduct "contract" for that student with clear penalties for noncompliance. The law also requires that any student found guilty of bullying three times in a school year be assigned to an alternative school.

Illinois: In Illinois, school boards are advised by a parent-teacher advisory committee established by law to develop student discipline guidelines, reciprocal reporting about students who have committed criminal offenses between law enforcement agencies and the school district, and school bus safety procedures. As part of its responsibility in student discipline policy, the committee must address all aggressive behavior, including bullying, and develop specific early intervention procedures for students identified as "at-risk" for this kind of behavior, based on available community and district resources. Also mandated by law are procedures to notify parents or guardians if their child is deemed "at-risk" or if their child is exhibiting aggressive behavior.

New Jersey: Each school district must adopt a policy prohibiting harassment, intimidation or bullying through a representative process that includes parents, students, school personnel and community members. The commissioner of education is directed to develop a model policy to assist school districts with the process. When completed, school districts must file their policy with the county superintendent of schools. In addition to a definition and a statement prohibiting the behavior, the policy must include:

- A procedure for reporting incidents anonymously;
- A procedure to investigate reports, making clear the person(s) responsible for investigation;
- The range of ways in which a school will respond once an incident of harassment, intimidation or bullying is identified;
- A statement prohibiting reprisal against any person making a report and the consequences for any person who engages in retaliation or reprisal;
- Consequences for making a false report of a bullying incident;
- A requirement that school personnel must report any incident of bullying, intimidation or harassment they have witnessed or about which they have reliable information;
- A statement about how the policy will be publicized; and
- A requirement that the policy be printed in any publication that sets forth school district rules, regulations and standards for student conduct.

As in West Virginia law, New Jersey law also provides immunity from a cause of action for damages arising from the reporting of an incident to individuals who make that report in good faith and in compliance with established procedures. Schools and school districts are encouraged to establish bullying prevention programs and, to the extent funds are available, to train school personnel and educate students about the anti-bullying/harassment policy.

Oklahoma: Safe school committees (SSCs) were established by law in 1996 to issue recommendations about school safety to each school principal. Each school's SSC is comprised of 12 members and must include the principal, superintendent, parents, teachers and students. In the 2002 session, the Legislature expanded the duties of each SSC to include special attention to bullying, physical and verbal aggression, and sexual harassment. In addition to a definition and statement prohibiting this behavior, the Legislature directed

all SSCs to review bullying prevention programs used by other states, agencies or school districts and to issue recommendations appropriate to the particular school in question. The school response to bullying must include:

- The involvement of students and the community at large,
- The development of one-on-one student/staff relationships,
- The use of problem-solving teams with counselors or school psychologists, and
- A reasonable balance between the pattern and severity of bullying behavior.

Washington: Unlike a number of other states that direct their primary educational agency to develop model policies on bullying to "assist" local districts with development of their own, Washington vested sole authority for policy development with the superintendent of public instruction. School districts were directed to adopt OSPI's model policy on harassment, intimidation and bullying or amend an existing policy to be in compliance. Although the onus of policy development rests with the OSPI, the Legislature defined bullying and directed the model policy to contain a statement prohibiting bullying, specific reporting requirements (later vetoed), and immunity to school personnel and students who reported incidents of bullying in compliance with established procedures. In addition to the anti-bullying policy that all schools were required to adopt statewide, the Washington superintendent of public instruction disseminated teacher training materials and conducted workshops and other school staff development activities to ensure uniform, statewide education about the policy and responsibilities of school staff in enforcement. In addition, the Legislature appropriated $500,000 to fund bullying prevention programs statewide.

West Virginia: Each county board is responsible for developing and adopting a policy to prohibit harassment, intimidation or bullying through a process that involves parents, school personnel, students and community members. A model policy developed by the Department of Education is made available to assist county boards in this process, if desired. When the policy is completed, the county board must send it to the state superintendent of schools and print the policy in all student handbooks. In addition to a definition of bullying and a statement that bullying is prohibited, the policy must include:

- A procedure for reporting incidents of bullying,
- A requirement that school personnel must report any incidents of bullying,
- Notification of parents/guardians of all students involved (both bully and victim) in an incident,
- A procedure for documenting reported instances of bullying,
- A procedure for responding and investigating reports of bullying,
- A specific strategy for protecting victim(s) from additional bullying after a report has been made, and
- A disciplinary procedure for students who are found guilty of bullying

West Virginia law also provides immunity from a cause of action for damages arising from the reporting of an incident to individuals who make that report in good faith and in compliance with established procedures. The law also encourages, but does not require, bullying prevention task forces and anti-bullying initiatives that involve students, parents, law enforcement personnel, community members and other interested parties. Finally, each school district must train teachers and educate students (beyond printing the policy in the student handbook) on the anti-bullying and harassment policy if state and/or federal funds are appropriated to do so.

Notes

1. Ellen Galinsky and Kimberlee Salmond, "Youth and Violence: Students Speak Out For a More Civil Society," *Families and Work Institute* (2002): 8.

2. The NICHHD findings were published in "Bullying Behaviors Among U.S. Youth," *Journal of the American Medical Association* 285 (April 25, 2001): 2094-2100.

3. Ellen Galinsky and Kimberlee Salmond, "Youth and Violence: Students Speak Out For a More Civil Society," *Families and Work Institute* (2002): 10.

4. B. Vossekuil, M. Reddy, R. Fein, R. Borum and W. Modzeleski. *U.S.S.S. Safe School Initiative: An Interim Report on the Prevention of Targeted Violence in Schools* (Washington, D.C.: U.S. Secret Service, National Threat Assessment Center, October 2000).

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6. Ibid., 39.

7. Dan Olweus, *Bullying at School: What We Know and What We Can Do* (Cambridge, Mass: Blackwell, 1993).

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13. Garrity, Jens, Porter and Stoker, "Bullying in Schools: A Review of Prevention Programs," published in Brock, Lazarus, Jimerson and Shane, *Best Practices in School Crisis Prevention and Intervention*, (Bethesda, Md.: National Association of School Psychologists, 2002).

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